

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ERICSSON INC. and  
TELEFONAKTIEBOLAGET LM  
ERICSSON**

**Plaintiffs, Counterclaim  
Defendants,**

**v.**

**SAMSUNG ELECTRONICS CO., LTD., et  
al.,**

**Defendants, Counterclaim  
Plaintiffs.**

**CIVIL ACTION NO. 6:12-cv-895-LED**

**JURY TRIAL DEMANDED**

**JOINT MOTION TO DISMISS WITHOUT PREJUDICE**

Plaintiffs Ericsson Inc. and Telefonaktiebolaget LM Ericsson (“Ericsson”) and Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC and Samsung Telecommunications America, LLP<sup>1</sup> (“Samsung”), each acting through their duly authorized undersigned counsel of record, announce to the Court that they have reached a settlement that resolves all claims, counterclaims, and defenses asserted by any party to this case. The parties hereby jointly move that all claims and counterclaims by Ericsson against Samsung in this action and all claims and counterclaims by Samsung against Ericsson in this action be hereby dismissed without prejudice, and that the Court enter the accompanying order. Each party shall bear its own costs, expenses and attorneys' fees with respect to these claims and counterclaims.

---

<sup>1</sup> Samsung Telecommunications America, LLP, although a non-existent entity, was inadvertently named in some early pleadings instead of Samsung Telecommunications America, LLC. Consequently, it is included for completeness and to the extent there are any claims or counterclaims by or against this entity in this action.

Dated: January 28, 2014

Respectfully submitted,

**MCKOOL SMITH, P.C.**

By: /s/ Theodore Stevenson, III

Mike McKool, Jr.  
Texas State Bar No. 13732100  
mmckool@mckoolsmith.com  
Douglas A. Cawley  
Texas State Bar No. 04035500  
dcawley@mckoolsmith.com  
Theodore Stevenson, III  
Texas State Bar No. 19196650  
tstevenson@mckoolsmith.com  
300 Crescent Court, Suite 1500  
Dallas, Texas 75201  
Telephone: (214) 978-4000  
Telecopier: (214) 978-4044

Sam Baxter  
Texas State Bar No. 01938000  
sbaxter@mckoolsmith.com  
P.O. Box O  
Marshall, Texas 75671  
Telephone: (903) 927-2111  
Fax: (903) 927-2622

**ATTORNEYS FOR PLAINTIFFS**  
**ERICSSON INC. and**  
**TELEFONAKTIEBOLAGET LM**  
**ERICSSON**

/s/ Michael E. Jones

Michael E. Jones  
E-mail: mikejones@potterminton.com  
POTTER MINTON  
110 N College Avenue, Suite 500  
Tyler, TX 75702  
(903) 597-8311  
(903) 593-0846  
Kenneth R. Adamo  
Texas Bar No. 00846960  
E-mail: kradamo@kirkland.com  
David W. Higer  
E-mail: david.higer@kirkland.com  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, Illinois 60654  
(312) 862-2000 (Telephone)  
(312) 862-2200 (Facsimile)  
Gregory S. Arovas, P.C.  
E-mail: greg.arovas@kirkland.com  
Jennifer M. Selendy  
E-mail: jennifer.selendy@kirkland.com  
Todd M. Friedman  
E-mail: todd.friedman@kirkland.com  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022  
(212) 446-4800 (Telephone)  
(212) 446-4900 (Facsimile)  
Edward C. Donovan  
E-mail: edward.donovan@kirkland.com  
KIRKLAND & ELLIS LLP  
655 Fifteenth Street, N.W.  
Washington, D.C. 20005  
(202) 879-5000 (Telephone)  
(202) 879-5200 (Facsimile)  
Bao Nguyen  
E-mail: bao.nguyen@kirkland.com  
KIRKLAND & ELLIS LLP  
555 California Street

San Francisco, California 94104  
(415) 439-1400 (Telephone)  
(415) 439-1500 (Facsimile)

Ruffin Cordell  
Texas State Bar No. 04820550  
E-mail: [Cordell@fr.com](mailto:Cordell@fr.com)  
Michael McKeon  
D.C. Bar No. 459780  
E-mail: [McKeon@fr.com](mailto:McKeon@fr.com)  
Indranil Mukerji  
MA Bar No. 644059  
E-mail: [Mukerji@fr.com](mailto:Mukerji@fr.com)  
FISH & RICHARDSON P.C.  
1425 K Street, NW, 11th Floor  
Washington, DC 20005  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

Thomas M. Melsheimer  
Texas State Bar No. 1392250  
E-mail: [melsheimer@fr.com](mailto:melsheimer@fr.com)  
Thomas H. Reger II  
Texas State Bar No. 24032992  
E-mail: [reger@fr.com](mailto:reger@fr.com)  
Robert C. Earle  
Texas State Bar No. 24002029  
E-mail: [earle@fr.com](mailto:earle@fr.com)  
FISH & RICHARDSON P.C.  
1717 Main Street, Suite 5000  
Dallas, Texas 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-22091

John S. Goetz  
N.Y. State Bar No. 429566  
E-mail: [Goetz@fr.com](mailto:Goetz@fr.com)  
FISH & RICHARDSON P.C.  
601 Lexington Avenue, 52nd Floor  
New York, NY 10022  
Telephone: (212) 641-2277  
Facsimile: (212) 258-2291

**ATTORNEYS FOR DEFENDANTS  
SAMSUNG ELECTRONICS CO.,  
LTD., SAMSUNG ELECTRONICS  
AMERICA, INC. and SAMSUNG  
TELECOMMUNICATIONS  
AMERICA, LLC**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a)(3)(A) on January 28, 2014.

/s/ *Theodore Stevenson, III*  
Theodore Stevenson, III